

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

XTO Energy, Inc.,)
)
Plaintiff,) **ORDER**
)
vs.)
)
Kenneth Schmidt,) Case No. 4:09-cv-066
)
Defendant.)

The court conducted a status conference in the above-captioned action on November 10, 2009. Attorney Lawrence Bender appeared on the Plaintiff's behalf. The Defendant appeared *pro se*. Pursuant to the parties discussions, the court **ORDERS** that the Defendant shall have until December 31, 2009, to file an answer or otherwise respond to the Plaintiff's complaint in accordance with the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated this 10th day of November, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge